

**Title 20-A: EDUCATION**  
**Chapter 327: STUDENTS IN LONG-TERM DRUG TREATMENT**  
**CENTERS HEADING: PL 1989, c. 502, Pt. B, §18 (rpr)**

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**Maine Revised Statutes**  
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**§9701. DEFINITIONS**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1987, c. 827, §1 (NEW).]

**1. Drug treatment center.** "Drug treatment center" means a facility as defined in Title 22, section 8001, which provides drug and alcohol abuse treatment.

[ 1987, c. 827, §1 (NEW) .]

**2. Eligible student.** "Eligible student" means any resident of the State between the ages of 5 and 20 years who is otherwise eligible for public schooling under this Title.

[ 1987, c. 827, §1 (NEW) .]

**3. Long-term treatment.** "Long-term treatment" means treatment in a drug treatment center designed to provide treatment for a period in excess of 60 days.

[ 1987, c. 827, §1 (NEW) .]

SECTION HISTORY

1987, c. 827, §1 (NEW).

**§9702. PROGRAM RESPONSIBILITY**

A school administrative unit in which a licensed drug treatment center is located or a nearby school administrative unit shall provide an educational program, as prescribed by the commissioner, for each eligible student residing in the center, notwithstanding the student's legal residence within the State. The selection of the school administrative unit to provide that program shall be made by the commissioner pursuant to rules adopted in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375. The rules shall take into account the educational needs of students, the ability of a school administrative unit to meet those needs, the proximity of school administrative units to the facility, the expressed wishes of officials representing school administrative units and other appropriate considerations. The decision of the commissioner may be appealed to the State Board of Education. The decision of the board shall be final. [1987, c. 827, §1 (NEW) .]

SECTION HISTORY

1987, c. 827, §1 (NEW).

**§9703. INITIAL PROGRAM APPROVAL**

Each such school unit shall submit a program plan for educational services to be approved by the commissioner. The program plan shall include the following components: [1987, c. 827, §1 (NEW) .]

**1. Planning; approved.** Evidence of collaborative planning with officials and staff of the center and approval of the center's governing board;

[ 1987, c. 827, §1 (NEW) .]

**2. Licensure.** Proof that the facility is licensed by the Department of Health and Human Services and complies with the rules adopted by that department;

[ 1987, c. 827, §1 (NEW); 2003, c. 689, Pt. B, §6 (REV) .]

**3. Educational activities.** Educational activities and an evaluation component suitable to the age and educational needs of the eligible students;

[ 1987, c. 827, §1 (NEW) .]

**4. Accounting.** An accounting of all eligible students who will be provided educational services by the program and a plan for continued accurate accounting of the students; and

[ 1987, c. 827, §1 (NEW) .]

**5. Line-item budget.** A line-item budget submitted no later than 90 days prior to the fiscal year in which the program will operate. The proposed budget request may not exceed the number of students in the approved program plan, on a per student basis, based on the state average tuition rate as provided in sections 5804, 5805 and 15689.

[ 2009, c. 213, Pt. AAA, §1 (AMD) .]

The commissioner or a designee shall approve the program plan in a timely manner in order that appropriate budgeting may occur before the start of the school unit's fiscal year. Approval shall include a payment schedule for disbursement of program funds to the school unit in the fiscal year of the program's operation. [1987, c. 827, §1 (NEW).]

#### SECTION HISTORY

1987, c. 827, §1 (NEW). 1989, c. 911, §2 (AMD). 2003, c. 689, §B6 (REV). 2005, c. 683, §A27 (AMD). 2009, c. 213, Pt. AAA, §1 (AMD).

## §9704. APPEAL PROCESS

A school unit required to offer an educational program or a drug treatment center which treats eligible students may appeal to the commissioner in the event agreement cannot be reached between them. The commissioner's decision on the program in such an appeal shall be rendered within 60 days and shall be final. [1987, c. 827, §1 (NEW).]

#### SECTION HISTORY

1987, c. 827, §1 (NEW).

## §9705. RENEWAL OF PROGRAM APPROVAL

Each school unit operating an educational program for eligible students at drug treatment centers shall file an annual report, a proposed budget for the ensuing fiscal year and an application for renewal of program approval as prescribed by the commissioner. [1987, c. 827, §1 (NEW).]

#### SECTION HISTORY

1987, c. 827, §1 (NEW).

## §9706. RULE-MAKING AUTHORITY

The commissioner shall adopt rules to implement this chapter and the funding scheme under the Essential Programs and Services Funding Act. [2005, c. 683, Pt. A, §28 (AMD).]

### SECTION HISTORY

1987, c. 827, §1 (NEW). RR 1993, c. 1, §50 (COR). 2005, c. 683, §A28 (AMD).

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